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Date of Deposit: DECEMBER 28, 2004

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Hilary M McNulty  
By: Hilary M. McNULTY

DT01 Rec'd PCT/PTC 28 DEC 2004

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

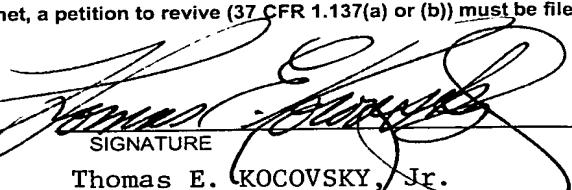
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>LYBZ 2 00089</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/004980</b>	INTERNATIONAL FILING DATE <b>13 May 2003</b>	U.S. APPLICATION NO. (if known) see 37 CFR 1.5 <b>107519737</b>
PRIORITY DATE CLAIMED <b>29 June 2002</b>		
TITLE OF INVENTION <b>REFRIGERATOR COMPRISING A REGENERATOR</b>		
APPLICANT(S) FOR DO/EO/US <b>Holger DIETZ; Heinz-Josef DUBBELFELD; Jiri MELICHAR; Axel PERSCH; Mario PIETRANGELI; Ernst SCHNACKE; Andre SIEGEL; Axel VIET</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13(ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known) (see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
107519758		PCT/EP2003/004980		LYBZ 2 00089	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee.....		\$300.00		Applicant use	Office use only
<input checked="" type="checkbox"/> b) Examination fee.....		\$200.00		\$	
<input checked="" type="checkbox"/> c) Search fee.....		\$500.00		\$	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			x \$250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA		RATE	
Total claims	- 20 =			x \$50.00	\$
Independent claims	- 3 =			x \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	
<b>TOTAL OF ABOVE CALCULATIONS = \$ 1,000.00</b>				\$ 1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.					
<b>SUBTOTAL = \$ 1,000.00</b>					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
<b>TOTAL NATIONAL FEE = \$ 1,000.00</b>					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					
<b>TOTAL FEES ENCLOSED = \$ 1,040.00</b>					
Amount to be refunded:  Amount to be charged					
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,040.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0308</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Thomas E. KOCOVSKY, Jr., Esq. FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP 1100 Superior Avenue, Seventh Floor Cleveland, OH 44114 (216) 861-5582 (216) 241-1666					
 SIGNATURE Thomas E. KOCOVSKY, Jr. NAME US 28, 383 REGISTRATION NUMBER					

10/519737  
DT01 Rec'd PCT/PT  
28 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ) Examiner:  
H. DIETZ, et al. )  
Serial No.: Unknown ) Art Unit:  
Filed: Herewith ) Confirmation:  
For: **REFRIGERATOR** )  
**COMPRISING A** )  
**REGENERATOR** )  
Attorney Docket No.: ) Cleveland, OH 44114  
LYBZ 2 00089 ) December 28, 2004

**SUBMISSION OF FORMAL DRAWINGS**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The applicants are enclosing two (2) sheets of Formal Drawings,  
including FIGURES 1-4.

An early indication of the acceptance of the Formal Drawings is  
earnestly solicited.

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P.O. Box 1450, Alexandria, VA 22313-1450.

Hilary M. McNulty  
By: Hilary M. McNULTY

10/519737

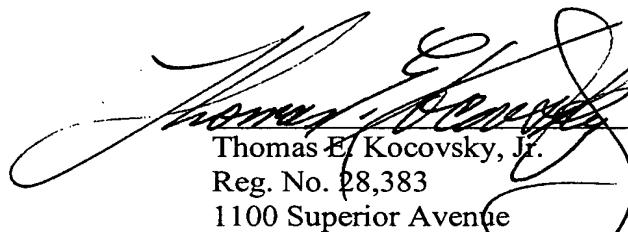
DT01 Rec'd PCT/PTC 28 DEC 2004

-2-

An early notice that the filing requirements have been met and an early allowance of this application is respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP



Thomas E. Kocovsky, Jr.  
Reg. No. 28,383  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2518  
(216) 861-5582

10/519737  
DT01 Rec'd PCT/EP 28 DEC 2004

"IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ) Examiner:  
H. DIETZ, et al. )  
Serial No.: Unknown ) Art Unit:  
Filed: Herewith ) Confirmation:  
For: **REFRIGERATOR** )  
**COMPRISING A** )  
**REGENERATOR** )  
Attorney Docket No.: ) Cleveland, OH 44114  
LYBZ 2 00089 ) December 28, 2004

SUBMISSION OF VERIFIED TRANSLATION

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The applicant is filing herewith a Verified Translation of the priority French-language German Patent Application No. PCT/EP2003/004980 (WO 2004/003442 A1).

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By: Hilary M. McNULTY

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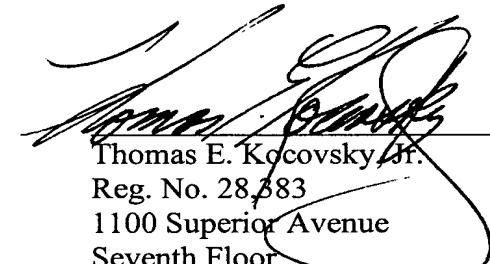
-2-

The verified English translation of the application comprises:

1 page Statement of Verified English Translation  
9 pages of Specification  
2 pages of Claims  
1 page of Abstract

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

  
Thomas E. Kocovsky, Jr.  
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IN THE UNITED STATES PATENTS AND TRADEMARK OFFICE

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I, Wilfried Adam, declare:

1. That I am a citizen of Germany and a translator to Jürgen Leineweber, Dipl.-Phys., Aggerstr. 24, D-50859 Köln, Germany.
2. That I am well acquainted with the German and English languages.
3. That the attached is a true translation into the English language of the accompanying document P02.12 Wo.

Dated: Sept. 3, 2004

W. Adam